

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
No. 3:13-cv-266-FDW-DSC

RICHARD TUSZKIEWICZ,

Plaintiff,

v.

SCOTT TUSZKIEWICZ and
CYNTHIA TUSZKIEWICZ,

Defendants.

ORDER

THIS MATTER is before the Court on “Plaintiff’s Motion to Extend Time to Complete Discovery and ADR” (document #10), and the parties’ briefs and exhibits. See documents ##11 and 14.

The Case Management and Pretrial Order entered in this case requires discovery to be completed by November 29, 2013. That Order further states that “[a]ll discovery shall be commenced or served in time to be completed by November 29, 2013 ... discovery requests that seek responses or schedule depositions after the discovery completion deadline are not enforceable except by Order of the Court for good cause shown.” Document #9 at 2. Counsel represents that he misunderstood the clear language of the Order.

Having conferred with the chambers of the Honorable Frank D. Whitney, and in the Court’s discretion, the Motion is **GRANTED IN PART** as follows:

1. As to the discovery requests served by Plaintiff on November 26, 2013, the discovery deadline is extended to January 26, 2014. No other discovery requests shall be made by either party except by further order of the Court.

2. The time for the parties to complete mediation is extended to February 28, 2014.

3. The Parties are directed to select a mediator on or before January 26, 2014.

4. The dispositive motions deadline is extended to February 1, 2014. Defendants' Motion for Summary Judgment (document #12) is administratively **DENIED AS MOOT WITHOUT PREJUDICE** to Defendants' right to file another dispositive motion on or before February 1, 2014.

SO ORDERED.

Signed: January 3, 2014

A handwritten signature in cursive script, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

